

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 1:24-mc-24832-GAYLES

IN RE APPLICATION OF USA PURSUANT
TO 18 U.S.C. § 3512 FOR ORDER FOR
COMMISSIONER'S APPOINTMENT FOR
REQUEST FOR LEGAL ASSISTANCE
FROM THE GOVERNMENT OF BELGIUM

U.S. DOJ CRIMINAL NO. 182-86702

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ORDER APPOINTING COMMISSIONER

Upon application by the United States of America seeking an order, pursuant to 18 U.S.C. § 3512, and under the Agreement comprising the Instrument as contemplated by Article 3(2) of the Agreement on Mutual Legal Assistance Between the United States of America and the European Union signed 25 June 2003, as to the application of the Treaty Between the United States of American and the Kingdom of Belgium on Mutual Legal Assistance in Criminal Matters signed 28 January 1988, U.S.-Belg., Dec. 16, 2004, S. TREATY DOC. NO. 109-13 (2006) (“the Treaty”), for use in a criminal investigation, prosecution, or procedure related to the prosecution at the Antwerp Public Prosecutor’s Office, and the Court having fully considered this matter,

IT IS HEREBY ORDERED, pursuant to the authority conferred by the Treaty, and 18 U.S.C. § 3512, as well as this Court’s inherent authority, that Michele S. Vigilance, Assistant United States Attorney, (or a substitute or successor subsequently designated by the Office of the U.S. Attorney), is appointed as Commissioner (the Commissioner) of this Court and hereby directed to execute the treaty request and to take such steps as are necessary to collect the evidence requested.

In doing so, the Commissioner:

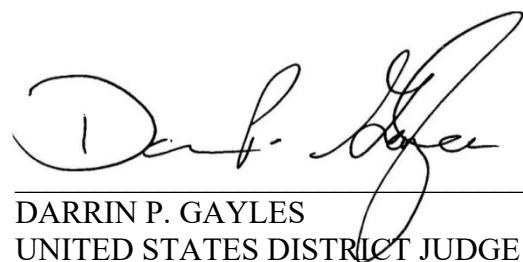
1. may issue commissioner subpoenas to be served at any place within the United States on persons (natural and legal) ordering them or their representatives to appear and to testify and/or produce evidence located within the United States;
2. shall provide notice with respect to the collection of evidence to those persons identified in the Request as parties to whom notice should be given (and no notice to any other party shall be required);
3. shall adopt procedures to collect the evidence requested consistent with its use in the investigation, prosecution, or other court proceeding for which Peru has requested assistance, which procedures may be specified in the Request or provided by or with the approval of the Antwerp Public Prosecutor's Office, Belgium;
4. may, in collecting the evidence requested, be accompanied by persons whose presence or participation is authorized by the Commissioner, including, without limitation, law enforcement agents and/or officers, (foreign or domestic) who, as authorized or directed by the Commissioner, may direct questions to any witness;
5. may seek such further orders of this Court as may be necessary to execute this Request, including orders to show cause why persons served with a commissioner subpoena who fail to produce evidence should not be held in contempt, and including protective orders to regulate the use of the evidence collected;
6. shall submit the evidence collected to the Office of International Affairs, Criminal Division, U.S. Department of Justice, or as otherwise directed by that Office for transmission to the Kingdom of Belgium; and,

7. may provide copies of the evidence collected to persons identified in the Request as parties to whom such copies should be given (and to no other persons).

IT IS FURTHER ORDERED that any person from whom the Commissioner seeks to collect evidence may, for good cause shown, oppose the giving of evidence, or the circumstances thereof, by motion timely filed with this Court, a copy of which shall be provided contemporaneously to the Commissioner.

IT IS FURTHER ORDERED that this case is **CLOSED** for administrative purposes.

DONE AND ORDERED in Chambers at Miami, Florida, this Friday, December 13, 2024.



DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE